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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF AGRICULTURE

Economic Analysis Staff

7 CFR Ch. XXXIX

Removal of CFR Chapter

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This final rule removes the regulations of the Economic Analysis Staff (EAS) relating to its organization and functions and availability of information to the public, to reflect an internal reorganization of the Department of Agriculture, which abolished EAS.

EFFECTIVE DATE: December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Virginia Taylor, Office of the Chief Economist, United States Department of Agriculture, Room 227-E, Jamie L. Whitten Federal Building, Washington, D.C. 20250-3810, or call (202) 720-5955.

SUPPLEMENTARY INFORMATION: The Freedom of Information Act (FOIA) requires each Federal agency to publish in the Federal Register regulations regarding its organization and functions and the manner in which the public may obtain information from the agency. Part 3900 set out the organization and functions of EAS. Part 3901 set out the regulations of EAS for obtaining information under the Freedom of Information Act. Pursuant to a reorganization of the Department of Agriculture, EAS was integrated into the Office of the Chief Economist. This document removes Parts 3900 and 3901.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required. Further, since the rule relates to internal agency management it is exempt from the provisions of Executive Orders 12866

and 12988. In addition, this action is not a rule as defined by the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Chapter XXXIX

Availability of information to the public; organizations and functions.

CHAPTER XXXIX [REMOVED]

Accordingly, under the authority of 5 U.S.C. 301 and 552, 7 CFR Chapter XXXIX is removed.

Done this 23rd of December, 1996, at Washington, D.C.

Keith Collins,

Chief Economist.

[FR Doc. 96-33063 Filed 12-30-96; 8:45 am]

BILLING CODE 3410-01-M

Agricultural Marketing Service

7 CFR Part 58

[DA-96-10]

RIN 0581-AB43

Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products: Revision of User Fees

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Agricultural Marketing Service is increasing the fees charged for services provided under the dairy inspection and grading program. This rule will yield an estimated \$272,000 in fiscal year 1997. The program is a voluntary, user-fee program conducted under the authority of the Agricultural Marketing Act of 1946, as amended. This action increases the hourly rate to \$47.00 per hour for continuous resident services and \$52.00 per hour for nonresident services between the hours of 6:00 a.m. and 6:00 p.m. The fee for nonresident services between the hours of 6:00 p.m. and 6:00 a.m. would be \$57.20 per hour. These fees represent an increase of four dollars per hour. The fees are being increased to cover the costs of recent salary increases and locality adjustments, the costs necessary to maintain adequate levels of service during changing production and purchasing patterns within the dairy industry, the continued full funding for

standardization activities, and other operating costs.

EFFECTIVE DATE: January 5, 1997.

FOR FURTHER INFORMATION CONTACT:

Lynn G. Boerger, USDA/AMS/Dairy Division, Dairy Grading Branch, Room 2750-South Building, P.O. Box 96456, Washington, D.C. 20090-6456, (202) 720-9381.

SUPPLEMENTARY INFORMATION: This rule has been determined to be not significant for purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have preemptive effect with respect to any State or local laws, regulations or policies. This rule is not intended to have retroactive effect. There are no administrative procedures which must be exhausted prior to any judicial challenge to this rule or the application of its provisions.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA) 5 U.S.C. 601 *et seq.*, the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

There are more than 600 users of Dairy Grading Branch's inspection and grading services. Many of these users are small entities under the criteria established by the Small Business Administration (13 CFR 121.601). This rule will raise the fee charged to businesses for voluntary inspection services and grading services for dairy and related products. Even though the fee will be raised, the increase is approximately 8.6 percent and will not significantly affect these entities. These businesses are under no obligation to use these services, and any decision on their part to discontinue the use of the services would not prevent them from marketing their products. The Agricultural Marketing Service (AMS) estimates that overall this rule will yield an additional \$272,000 during fiscal year 1997. The rule reflects certain fee increases needed to recover the cost of inspection and grading services rendered in accordance with the Agricultural Marketing Act (AMA) of 1946.

The Agricultural Marketing Service (AMS) has determined that this action will not have a significant impact on a